

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 04-1170

Laxman S. Sundae,	*	
	*	
Plaintiff-Appellant,	*	
	*	Appeal from the United States
v.	*	District Court for the
	*	District of Minnesota.
Gale Norton, as the Secretary of the	*	
U.S. Department of Interior,	*	[UNPUBLISHED]
	*	
Defendant-Appellee.	*	

Submitted: July 8, 2004
Filed: July 29, 2004

Before WOLLMAN, LAY, and MELLOY, Circuit Judges.

PER CURIAM.

Laxman Sundae appeals *pro se* from the district court's¹ entry of summary judgment in favor of the Defendant in his employment discrimination action. In his complaint, Sundae alleged that he applied for and was denied the position of mining engineer within the Bureau of Land Management, a subdivision of the Department of the Interior, on the basis of his race, color, national origin, age, and physical handicap. He asserted causes of action under Title VII of the Civil Rights Act of

¹The Honorable Michael J. Davis, United States District Judge for the District of Minnesota.

1964, 42 U.S.C. § 2000e *et seq.*, the Age Discrimination in Employment Act of 1967, 29 U.S.C. § 621 *et seq.*, and the Rehabilitation Act of 1973, 29 U.S.C. § 701 *et seq.*

The district court, acting upon the report and recommendation of a magistrate judge, granted summary judgment in favor of the Defendant. It concluded that even assuming Sundae made a *prima facie* case on each of his discrimination claims, the Defendant proffered legitimate, non-discriminatory reasons for his non-selection for employment, and that Sundae failed to demonstrate that they were pretextual. Having carefully reviewed the record and the applicable legal authorities, we find no error in the district court's disposition of this matter. Accordingly, the judgment of the district court is affirmed. See 8th Cir. R. 47(B).
